DETAILED ACTION

1.   This Final Office Action is in response to Applicant's communication filed on March 17,

2010. Claims 1-8, 10 and 12 have been amended. Claim 11 has been cancelled. Currently claims

1-10 and 12 are pending in this application.

Response to Amendment

2.   Applicant's amendments to claims 1-8, 10 and 12 are hereby acknowledged.

3.   Applicant's amendments to claim 1 are insufficient to overcome the 35 U.S.C. 101,

rejection set forth in the previous office action. Nominal recitations of structure in an otherwise

ineligible method fail to make the method a statutory process. See Benson, 409 U.S. at 71-72.

Incidental physical limitations, such as data gathering, field of use limitations, and post-solution

activity are not enough to convert an abstract idea into a statutory process. In other words,

nominal or token recitations of structure in a method claim do not convert an otherwise ineligible

claim into an eligible one. It is the Examiner's position that the added limitation for performing

the method with a computing device is a nominal recitation and therefore fails to render the

claim(s) statutory for at least this reason.

4.   Additionally, it is noted that the limitations added by the Applicant in an attempt to

overcome the 101 rejection appear to introduce new matter. Applicant discloses the method

being implemented by a computing device, yet the Examiner can find no mention of a computing

device or any other structure in the specification; particularly as it relates to the performance of

the claimed method steps and the components necessary for performing those steps. The

Applicant has not pointed to a particular section of the Specification to support this limitation,

accordingly a 112 first paragraph rejection has been issued for: a method for business decision

support with a computing means for [...].

Response to Arguments

6.   Applicant's response dated 3/17/2010 has been fully considered. The remarks include a

response to the Examiner's prior Requirement for Information which is hereby fully

acknowledged and found responsive. The Examiner is unable to discern any arguments from

Applicant's Remarks submitted 3/17/2010, accordingly no response is deemed necessary.

Claim Rejections - 35 USC § 112

7.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making
> and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it
> pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode
> contemplated by the inventor of carrying out his invention.

8.   Claims 1-10 and 12 are rejected under 35 U.S.C. 112, first paragraph, as failing to

comply with the written description requirement. The claim(s) contains subject matter which

was not described in the specification in such a way as to reasonably convey to one skilled in the

relevant art that the inventor(s), at the time the application was filed, had possession of the

claimed invention. Applicant has amended the claims to include the method being performed by

computing means, but there is no support in the specification for this feature. The specification

does not describe that the disclosed method is implemented on a computer or using any type of

specific computing means. Furthermore the specification does not describe the explicit nature of

any computing means intended to implement the claimed invention. Since the Applicant's

written description fails to disclose the specific use of a computing means, and/or the nature of

said means, the pending claims directed to this feature are deemed to include new matter and are

rejected for at least this reason.

9.   Claims 1-10 and 12 are rejected under 35 U.S.C. 112, first paragraph, as failing to

comply with the enablement requirement. The claim(s) contains subject matter which was not

described in the specification in such a way as to enable one skilled in the art to which it pertains,

or with which it is most nearly connected, to make and/or use the invention. There are many

factors to be considered when determining whether there is sufficient evidence to support a

determination that a disclosure does not satisfy the enablement requirement and whether any

necessary experimentation is "undue." These factors include, but are not limited to:

- The amount of direction provided by the inventor;

- The existence of working examples; and

- The quantity of experimentation needed to make or use the invention based on the
  content of the disclosure. (See MPEP 2164.01(a))

As mentioned above the specification fails to disclose any type of computing means, let alone a

specific embodiment of a computer system implementing the claimed method. Accordingly, it is

unclear how exactly one of ordinary skill is supposed to carry out the disclosed method steps to

achieve the Applicant's claimed outcomes. For example:

- Claim 1 discloses multiple accessing steps for interacting with various data and
  generating certain results, including connected networks and pair-wise linkages,
  utilizing the claimed invention. However no specific accessing or input

computing device is mentioned in the specification with regards to this limitation. Therefore it is not clear how one of ordinary skill in the art is supposed to access the claimed data and further how accessing this data would enable the outcomes being claimed by the Applicant such as the generation of network data and allowing the decision support system to evaluate reputation data based on various received information.

- Claim 2 discloses multiple querying steps but the specification provides no structure or means for querying, accordingly it is unclear how one of ordinary skill in the art is supposed to utilize the claimed invention to query and receive response communications as claimed by the Applicant. Furthermore it is unclear how these responses are then used to compute aggregate trust measures from iterative trust levels available to a particular member. There is no algorithm or system disclosed for achieving this computation, let alone any steps pertaining to the specific computation itself. Accordingly one of ordinary skill would not know how to generate the aggregate trust measures being claimed.

- Claim 3 discloses creating a forum for interaction, but the specification discloses no structure or means for doing so; leaving one of ordinary skill to question how the claimed invention intends to create the claimed forum? The claim also discloses visually representing data in order to create various trees of different strength components. The specifics of how the claimed visually represented information is converted into these strength trees are not clearly disclosed by the specification. Based on the supporting disclosure one of ordinary skill would not

understand how to generate the Applicant's specifically claimed trees or how to

use them to evaluate professional and/or trust data as claimed.

While there exist several more examples where the claimed limitations are not supported by the

specification, for example claim 4 discloses wherein the termination of a tree branch provides

information of the competence of a contributor pages, but does not discloses what specifically

this information is or explicitly how tree data is converted into competence data; it is noted that

an exhaustive list of the issues regarding enablement for the amended claims would take many

more pages to describe in detail, particularly since there is not specific support for any type of

automated embodiment of the claimed method(s). No working examples are provided by the

Applicant and as a result the quantity of experimentation needed to make or use the invention

based on the content of the disclosure is significant. Since the applicant has failed to present any

support for an automated system comprising the necessary components for performing the

claimed method, each of the claimed method steps is rejected for a lack of enablement, including

those explicitly listed above.

10.   Claims 1-10 and 12 are rejected under 35 U.S.C. 112, first paragraph, because the best

mode contemplated by the inventor has not been disclosed. Evidence of concealment of the best

mode is based upon the fact that the claims in question merely disclose a general purpose

computing means for performing the claimed method steps. Based on discussions with the

Applicant, the claimed method is specifically intended to operate on a computer in a specific

computing environment that comprises the necessary components for performing the variety of

disparate processes being claimed. However the specification does not specifically describe any

computing means or device and as a result fails to disclose the specific computer

configuration(s), including modules/components, that would be utilized to best implement the

Applicant's claimed invention. General computing means could cover a myriad of known

computer configurations and does not convey to the public what the best mode, or configuration,

would be for implementing the claimed method.

11.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

12.   Claims 1-10 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

Applicant regards as the invention.

13.   Claim 1 recites the limitation that certain members, "may be accessed," this limitation is

indefinite because it is optional and therefore fails to define the metes and bounds of the claimed

invention.

14.   The claims also recite multiple, "thereby [...]" limitations that omit the essential

steps/elements necessary for achieving the solution that follows the 'thereby' clause. The first

limitation mentions that trust reference data is accessed and then states that thereby some specific

form of connected network data is created. The Examiner is unclear how accessing information

results in generating a network. There appears to be several steps missing between the accessing

and assessment of the data in question, and the generation of the network data that is central to

the claimed invention. Applicant repeats this pattern in the next 'thereby' limitation by listing

some unrelated steps and then stating that, somehow, the system is enabled to evaluate a person.

Again there appears to be some functional steps missing that lead to the solution recited in the thereby limitation. Clarification is required.

15.   Claim 1 could also be construed as utilizing the word network in 2 different and distinct manners. The first is in terms of an actual communication network, or comparable infrastructure, for viewing/interacting with posted data; and the second is in terms of the Applicant's claimed Trust and Professional networks. The difference in this case is that one network is directed to a structural component, or group of components, while the second is directed to a collection of people, or their data. Therefore a, "connection network", as recited in the claim raises ambiguity as to which of the two network interpretations is being referred to. Clarification is required.

16.   With regard to claims 1-2 the claims recite multiple layers and networks associated with various Trust and Professional data. Claim 2 goes on to recite different levels of trust and trust members (for example first and second level members may be associated with a particular level of trust). As the aforementioned example illustrates the term level is utilized in two different ways making it unclear whether the difference in levels is based on being in different layers of a particular trust network or based on actually being in different structural networks altogether. Therefore the relationship between Applicant's claimed levels is not clear with respect to what constitutes data being in a first level, rather than a second level, and clarification is required regarding how the Applicant's levels are specifically defined.

17.   The numerous issues outlined above with respect to 35 U.S.C. 112 make it very difficult for the Examiner to determine the metes and bounds of the Applicant's claimed invention. Art

has been applied to the invention as best understood by the Examiner and consistent with the

broadest reasonable interpretation based on the written description.

Claim Rejections - 35 USC § 101

Claims 1-10 and 12 are rejected under 35 U.S.C. 101 as being directed towards non-

statutory subject matter based on Supreme Court precedent, and recent Federal Circuit decisions,

In re Bilski U.S. Court of Appeals Federal Circuit 88 USPQ2d 1385. The machine-or-

transformation test is a two-branched inquiry; an applicant may show that a process claim

satisfies § 101 either by showing that his claim is tied to a particular machine, or by showing that

his claim transforms an article. See Benson, 409 U.S. at 70. Certain considerations are applicable

to analysis under either branch. First, as illustrated by Benson and discussed below, the use of a

specific machine or transformation of an article must impose meaningful limits on the claim's

scope to impart patent-eligibility. See Benson, 409 U.S. at 71-72. Second, the involvement of the

machine or transformation in the claimed process must not merely be insignificant extra-solution

activity. See Flook, 437 U.S. at 590.

The methods recited in claims 1-10 and 12 are neither tied to a machine nor do they

transform the underlying subject matter to a different state or thing. See Diamond v. Diehr, 450

U.S. 175, 184 (1981); Parker v. Flook, 437 U.S. 584, 588 n.9 (1978); and Gottschalk v. Benson,

409 U.S. 63, 71 (1972).

A method/process claim that fails to meet one of the above requirements is not in

compliance with the statutory requirements of 35 U.S.C. 101 for patent eligible subject matter.

Here claims 1-10 and 12 fail to meet the above requirements because they are not tied to a

particular machine nor do they transform the underlying subject matter to a different state or

thing. As a result, after weighing the factors in favor of/against the claims being statutory, it is

held that the invention is directed to claim an abstract idea.

When amending claims 1-10 and 12, Applicant is reminded that nominal recitations of

structure in an otherwise ineligible method fail to make the method a statutory process. See

Benson, 409 U.S. at 71-72. Incidental physical limitations, such as data gathering, field of use

limitations, and post-solution activity are not enough to convert an abstract idea into a statutory

process. In other words, nominal or token recitations of structure in a method claim do not

convert an otherwise ineligible claim into an eligible one. The Examiner respectfully suggests

incorporating claim language that clearly recites the structure necessary for performing the

Applicant's claimed method without adding new matter to the claims. For example, terms like

processor, memory etc. could be explicitly tied to the method steps, so long as such terms are

supported by the specification, to better help the claims comply with the statute.

Claim Rejections - 35 USC § 103

18.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

> The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

19.   Claims 1 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krysiak

et al. (US PGPUB 2002/0078003 A1) - hereinafter Krysiak, in view of Pujol et al.'s article:

Extracting Reputation in Multi Agent Systems by Means of Social Network Topology -

hereinafter Pujol.

Regarding **claim 1,** Krysiak discloses a method for business decision support with a

computing means for creating a part of an economic venture for evaluating human resources

utilizing an information network with a plurality of members - a Professional Collaboration

Network with at least one Professional layer and at least one Trust Layer comprising:

- accessing a professional ability for at least one member, from the at least one
  Professional Layer with members wherein the professional ability of said
  members may be assessed using third party knowledge of said members (see ¶
  [0059]-[0060] that describe the professional ratings profiles that include user
  ratings which are written by the users themselves as well as by third party
  members.);

- accessing a Trust Reference for at least one member from the at least one Trust
  Layer with members, with linkages generated by dialog (see figs 11-14 and at
  least ¶ [0012]-[0018] wherein trust networks are generated based on self and peer
  evaluations which function as trust references),

- combining for a First Member of the at least one Professional Layer and the at least one Trust Layer the professional ability and the Trust Reference for at least one Second Member of the at least one Professional Layer and the at least one Trust Layer (see ¶ [0012]-[0015] wherein the professional ability of the users and trust references for the users are combined to allow the system to evaluate competence/expertise).

- thereby enabling the decision support system to evaluate for said First Member, the professional reputation and Trust Reference of said at least one Second Member using the response history of said at least one Second Member and references of members in a connected network to which said at least one second member belongs (see ¶ [0013]-[0015] wherein the system is able to evaluate the various members in the network over time to determine their expertise/reliability. The reference states that after a while the system determines which users are experts as opposed to those with little credibility/experience).

Regarding the limitation directed to: thereby generating at least one connected network of members comprising pairs of connected members and each member of each of said connected networks of members being connected to every other member of said connected network through a series of pair-wise connections between members of one of said at least one Trust Layer in said connected network, and wherein a unique path along said pair-wise linkages between any two of said members with any one pair-wise linkage traversed only once, is a connection thread and wherein the Trust Reference is generated by the contents of such a connection thread between any two members of said at least one Trust Network; the Examiner notes that this limitation is

not positively recited and is simply claimed in a thereby clause following the positively recited

limitation directed towards accessing a Trust Reference members in the Trust Layer.

Accordingly this limitation has been accorded little patentable weight since it is not positively

recited as being explicitly performed and therefore fails to further limit the scope of the claimed

subject matter.

Assuming *arguendo* that the Applicant is able to amend the claims in question so that the

generating steps are positively recited, Examiner notes that Pujol discloses creating connected

networks with pairwise linkages and connection threads between members that are utilized to

analyze the data in the networks (see pages 1-4).

In KSR, the Supreme Court particularly emphasized "the need for caution in granting a

patent based on the combination of elements found in the prior art," and discussed circumstances

in which a patent might be determined to be obvious. Importantly, the Supreme Court reaffirmed

principles based on its precedent that "[t]he combination of familiar elements according to

known methods is likely to be obvious when it does no more than yield predictable results." In

this case the combination of the decision support system disclosed by Krysiak, with the social

networking and reputation determination system disclosed by Pujol would yield a predictable

result. Since the claimed invention is merely a combination of old elements, and in the

combination each element merely would have performed the same function as it did separately,

the combination has been deemed obvious.

Regarding **claim 12**, Krysiak discloses the limitations of claim 1 as shown above, and

further discloses wherein said Professional layer comprises experts who can evaluate a member

and are members of the at least on Trust Layer and therefore may have connection threads to the

First Member and thereby enable a Trust Reference by the Professional Collaboration Network

(see at least page 2, paragraph 0012: "According to one embodiment of the present invention, a

user identifies information sources based on search inquiries through a method comprising a step

of establishing a database containing: i) one or more knowledge domains wherein at least one of

the knowledge domains contains a grouping of one or more items having at least one

commonality; and ii) one or more trust networks associated with the knowledge domains

wherein the trust networks comprise one or more entities providing self-evaluations and peer-

evaluations of said information sources." Furthermore see ¶ [0012]-[0015]).

20.   Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krysiak et al.

(US PGPUB 2002/0078003 A1), in view of Pujol's article: Extracting Reputation in Multi Agent

Systems by Means of Social Network Topology, and further in view of Examiner's Official

Notice.

        Regarding **claim 2**, Krysiak discloses a method for business decision support for creating

an economic venture as in claim 1, wherein said accessing the Trust Reference from the at least

one Trust Layer further comprising:

   •   querying the at least one Trust Layer of the Professional Collaboration Network

       comprising trust linkages representing trust measures, between members of the

       Professional Collaboration Network for the Second Member and obtaining in response

       from the Trust Layer, communications from a set of members-first level Trust Members -

       that affirm a level of trust of the Second Member (see ¶ [0014] wherein the system

queries the trust network and receives peer-evaluations that affirm a particular level of

trust);

It is first noted that the second set of querying and obtaining limitations present in the claim

substantially repeat the first querying and obtaining steps to generate the same result: an affirmed

level of trust for the user(s) in question. Despite repeating the steps and/or applying them to a

different user, the outcome is the same, therefore these added limitations do not provide a

patentable distinction. The courts have held that mere duplication of parts has no patentable

significance unless a new and unexpected result is produced, *In re Harza*, 274 F.2d 669, 124

USPQ 378 (CCPA 1960), Accordingly these limitations fail to distinguish claim 2 over the

applied prior art.

Furthermore, Despite disclosing that the process is applied to multiple users in order to

define a trust network, Krysiak does not explicitly disclose iterating the steps above to build

connection threads for nth and (n+1)th levels, terminating the iteration when a predetermined

number of threads are generated or computing one or more aggregate trust measures from the

data available to the first user.

Pujol however discloses a process of determining user reputations that iteratively builds

social trust networks by progressively working through user data in a particular system, and

including data for other users related to the user in question. Pujols also discloses a system that

computes aggregate trust measures in the form of reputation metrics for the various people in the

network (See pages 2-6).

In KSR, the Supreme Court particularly emphasized "the need for caution in granting a

patent based on the combination of elements found in the prior art," and discussed circumstances

in which a patent might be determined to be obvious. Importantly, the Supreme Court reaffirmed

principles based on its precedent that "[t]he combination of familiar elements according to

known methods is likely to be obvious when it does no more than yield predictable results." In

this case the combination of the decision support system disclosed by Krysiak, with the social

networking and reputation determination system disclosed by Pujols would yield a predictable

result. Since the claimed invention is merely a combination of old elements, and in the

combination each element merely would have performed the same function as it did separately,

the combination has been deemed obvious.

Finally, Krysiak does not explicitly teach terminating the iteration when a predetermined

number is hit. Examiner hereby takes Official Notice that terminating iterations when a

predetermined number is hit was a well known process to those of ordinary skill in the art of

modeling forecast and simulation. For example it is well known to have threshold constraints in

iterative optimization problems that allow the optimization routine to run until the threshold is

hit.

Following KSR, the Supreme Court issued several rationales for supporting a conclusion

that a claim would have been obvious. If a particular known technique was recognized as part of

the ordinary capabilities of one skilled in the art, and one of ordinary skill in the art would have

been capable of applying this known technique to a known device (method, or product) and the

results would have been predictable to one of ordinary skill in the art; then the claim will be

deemed obvious in view of the prior art.

Applicant is applying a known technique, in this case terminating iterations in response to

some number constraints, as was well known to do in various modeling and simulation

environments, to a known device, in this case to system/method disclosed by Krysiak. Therefore

since the Applicant is claiming the application of a known technique to a known device to yield a

predictable result, the claim is deemed obvious in view of the prior art.

   Regarding **claim 3**, Krysiak discloses accumulating contributions of each member,

thereby using the accumulated contributions of members to assess professional competence (see

at least ¶ [0012]-[0015], [0050]-[0065]). Krysiak does not explicitly teach creating trees of

different field strength from the responses.

   Pujol discloses accumulating contribution data for the users in the network and

aggregating them to determine various reputation metrics that indicate the relative strength the

user's reliability.

   It has been previously established why one would have been motivated to combine Pujol

and Krysiak (see rejections of claims 1 and 2).

   Krysiak however also does not explicitly teach creating a forum for interaction of the

members and treads for each discussion, visually representing components of professional fields

of members along multiple axes representing multiple field types, about an origin, wherein the

distance from the origin represents the level of competence, visually representing each posting of

each member on said forum with components of professional field content in the posting along

multiple axes representing: multiple field types, about an origin, wherein the distance from the

origin represents the proportion of content in each relevant field; or visually representing each

response to a posting or another response of each member on said forum with components of

professional field content in the posting along multiple axes representing multiple field types,

about an origin, wherein the distance from the origin represents the proportion of content in each relevant field.

Examiner hereby takes Official Notice that creating forums for member interaction and visually representing data on axes was well known those of ordinary skill in the art at the time of the invention.

Following KSR, the Supreme Court issued several rationales for supporting a conclusion that a claim would have been obvious. If a particular known technique was recognized as part of the ordinary capabilities of one skilled in the art, and one of ordinary skill in the art would have been capable of applying this known technique to a known device (method, or product) and the results would have been predictable to one of ordinary skill in the art; then the claim will be deemed obvious in view of the prior art.

Applicant is applying a known technique, in this case creating a forum for member interaction and visually representing data on axes, to a known device, in this case to knowledge and trust system disclosed by Krysiak. Therefore since the Applicant is claiming the application of a known technique to a known device to yield a predictable result, the claim is deemed obvious in view of the prior art.

Regarding **claim 4,** Krysiak discloses a method for business decision support for creating an economic venture as in claim 3, wherein the termination of any branch of the tree from any thread provides information on the professional competence of the last contributor to the thread (see ¶ [0012]-[0015], [0040]-[0055]).

Regarding **claim 5,** Krysiak discloses a method for business decision support for creating an economic venture as in claim 1, wherein said first member is a member of a different Trust

Layer of the at least one Trust Layer, to the Second Member (see ¶ [0038]-[0055] wherein

various different users, all belonging to a variety of different trust networks are included and

analyzed by the system).

21.   Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krysiak et al.

(US PGPUB 2002/0078003 A1), in view of Pujol's article: <u>Extracting Reputation in Multi Agent</u>

<u>Systems by Means of Social Network Topology</u>, and Examiner's Official Notice, and further in

view of Butler et al. (US PGPUB 20030018585 A1).

        Regarding **claims 6 & 7**, Krysiak discloses a method for business decision support but

does not explicitly teach wherein Reputation guarantees are provided for various levels of

members of the trust layer and iterated over threads in the trust network., and guarantees are

provided for a premium.

        Butler however discloses providing reputation guarantees and assurances (see ¶ [0095]-

[0100]).

        In KSR, the Supreme Court particularly emphasized "the need for caution in granting a

patent based on the combination of elements found in the prior art," and discussed circumstances

in which a patent might be determined to be obvious. Importantly, the Supreme Court reaffirmed

principles based on its precedent that "[t]he combination of familiar elements according to

known methods is likely to be obvious when it does no more than yield predictable results." In

this case the combination of offering reputation guarantees, as disclosed by Butler and business

decision support tool disclosed by Krysiak would yield a predictable result. Since the claimed

invention is merely a combination of old elements, and in the combination each element merely

would have performed the same function as it did separately, the combination has been deemed obvious.

Furthermore the Examiner hereby takes Official Notice that charging a premium fee for certain services was well known to those of ordinary skill in the art at the time of the invention. Therefore it would have been obvious to charge a premium for the aforementioned reputation guarantees in order to generate money which is the goal of most services.

Regarding **claim 8**, Krysiak does not explicitly teach wherein the payout related to the guarantee is paid by the guarantor if the reference proves not to predict outcome. Examiner hereby takes Official notice that holding a guarantor fiscally responsible for the guarantees that he/she makes was well known to those of ordinary skill in the art at the time of the invention. It would have been obvious to further modify the invention of Krysiak to include this feature so as ensure that the guarantor incurs some repercussions for performing his/her task poorly, thereby ensuring that the guarantee system is not sabotaged by people consistently making guarantees that they do not mean.

Regarding **claim 9,** Official notice is taken that it is old and well known in the business world to provide assurances based on reputation (e.g., financial markets - credit ratings or worthiness and credit default swap, underwriting, or reinsurance). It would have been obvious to one of ordinary skill in the art at the time of the invention to seek reputation guarantees as doing so minimizes, distributes, or passes the risk taken to others when undertaking an economic venture.

22.   Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krysiak et al.

(PGPUB-NO: US 2002/0078003 A1) in view of Walker et al. (US-PAT-NO: US 5,862,223 A).

        Regarding **claim 10**, Krysiak discloses all the limitations of claim 1 as shown above.

Krysiak does not disclose the following limitations, but Walker, as shown, does:

        •   further comprising a bidding system wherein said user may publish specifications

for participation of one or more of said members and invite bids for participation and thereafter

utilize the Trust Layer and the Professional Layer to evaluate prospects in the context of bids

received (see at least column 7, line 6 through column 8, line 16: "In one embodiment of this

invention, a person ("end user") who requires information from an expert accesses an on-line

Exchange located at a remote server. The Exchange verifies the user's identification and account

status and allows the user to produce a job request suitable for consideration by an expert. The

job request includes a full description of the job to be performed, a range of money the user is

willing to spend, how quickly he needs the answer, and any other information necessary to

respond to the request… Once the job request has been sent, the end user waits to receive any

bids by the bid deadline specified… If, after reviewing the full job request, an expert is willing to

do the job, he submits a formal offer of service, essentially his bid for the job. This bid may also

include his particular qualifications for the job and any special conditions which he might require

be incorporated before accepting the assignment. These bids are then forwarded to the user who

can then decide which experts, if any, he will hire.").

        It would have been obvious to one skilled in the art at the time of the invention to

incorporate the bidding system of Walker with the trust networks and knowledge domains of

Krysiak as soliciting bids provides the requestor with a pool of competitive entities interested in

performing a task to choose from. In addition, soliciting bidding for goods or services might be

a company's policy or required by law.

Conclusion

23.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

    A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

    Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ADRIAN MCPHILLIP whose telephone number is (571)270-

5399. The examiner can normally be reached on Monday to Thursday 7:30 - 5:00 EST.

    If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Beth Boswell can be reached on (571)272-6737. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

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